

1 KAMALA D. HARRIS  
Attorney General of California  
2 ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
3 LANGSTON M. EDWARDS  
Deputy Attorney General  
4 State Bar No. 237926  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 620-6343  
6 Facsimile: (213) 897-2804  
*Attorneys for Complainant*

7  
8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 2013-934

11 **ANITA REVOLTAR**  
12 **2410 Winfield Drive**  
13 **Kissimmee, FL 34743**

**A C C U S A T I O N**

14 **Registered Nurse License No. 772763**

15 Respondent.

16  
17  
18 Complainant alleges:

**PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
20 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
21 Consumer Affairs.

22 2. On or about April 22, 2010, the Board of Registered Nursing issued Registered Nurse  
23 License Number 772763 to Anita Revoltar (Respondent). The Registered Nurse License expires  
24 on June 30, 2013, unless renewed. On or about February 3, 1993, the Florida State Board of  
25 Nursing (Florida Board) issued Registered Nurse License Number 2684422 to Respondent.  
26 Respondent's Florida Registered Nurse License expires on July 31, 2014, unless renewed.  
27  
28

## JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 118, subdivision (b), of the Code provides that the suspension, expiration, surrender or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Section 2811(b) of the Code provides, in pertinent part, that the Board may renew an expired license at any time within eight years after the expiration.

## STATUTORY PROVISIONS

6. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

7. Section 2761 of the Code provides in pertinent part:

“The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

...

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

1 **COST RECOVERY**

2 8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
3 administrative law judge to direct a licensee found to have committed a violation or violations of  
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
5 enforcement of the case.

6 **DRUG DEFINITIONS**

7  
8 9. Hydromorphone, trade name Dilaudid, is a Schedule II controlled substance  
9 pursuant to Health and Safety Code Section 11055(b)(1)(k) and a dangerous drug per Business  
10 and Professions Code Section 4022.

11  
12 **FIRST CAUSE FOR DISCIPLINE**

13 **(Disciplinary Action by Other State)**

14  
15 10. Respondent is subject to disciplinary action under section 2761, subdivision (a)(4) of  
16 the Code in that disciplinary action was taken against Respondent's Registered Nurse License by  
17 The Florida State Board of Nursing (Florida Board).

18 11. On or about June 15, 2011, the Florida Board placed Respondent's Registered Nurse  
19 License on probation for one (1) year with terms and conditions in the matter *State of Florida*  
20 *Department of Health v. Anita Revoltar, R.N.*, Case No. 2009-03752. Respondent was ordered to  
21 successfully complete courses in the legal aspects of nursing, ethics, medication administration  
22 and documentation. Respondent was also ordered to pay administrative fines and investigative  
23 costs. The circumstances underlying the disciplinary action by the Florida Board are, as follows:

24 a. During the time period between December 16, 2008 and December 17, 2008 (relevant  
25 time period), Respondent was employed as a registered nurse at St. Cloud Regional Medical  
26 Center (SCRMC), located in St. Cloud, Florida.

1 b. On or about December 16, 2008, S.R.<sup>1</sup>, a forty-two year old patient diagnosed with  
2 cellulites and pre-existing diagnosis of Chronic Obstructive Pulmonary Disease presented to  
3 SCRMC emergency department with complaints of a worsening leg wound.

4 c. On or about December 16, 2008 at approximately 8:00 p.m., S.R. was determined to  
5 have a blood pressure reading of 87/56.

6 d. On or about December 16, 2008, at approximately 9:25 p.m., Respondent  
7 administered Dilaudid 1 mg intravenously to S.R.

8 e. On or about December 17, 2008 at approximately 12:50 a.m., Respondent  
9 administered another dose of Dilaudid 1mg to S.R.

10 f. During the relevant time period, Respondent failed to document any interaction or  
11 intervention with S.R. while administering Dilaudid intravenously.

12 g. During the relevant time period, Respondent failed to reassess S.R., a patient with  
13 abnormal vital signs, before or after administration of pain medication.

14 h. On or about December 17, 2008, at approximately 7:45 p.m., S.R. was found to be  
15 "unresponsive with severe hypotension" with a blood pressure of 74/46.

16 i. S.R. died on or about December 17, 2008 at approximately 11:25 p.m.  
17

18 **PRAYER**

19 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
20 and that following the hearing, the Board of Registered Nursing issue a decision:

21 1. Revoking or suspending Registered Nurse License Number 772763, issued to Anita  
22 Revoltar;

23 2. Ordering Anita Revoltar to pay the Board of Registered Nursing the reasonable costs  
24 of the investigation and enforcement of this case, pursuant to Business and Professions Code  
25 section 125.3;

26 //

27 \_\_\_\_\_  
28 <sup>1</sup> Initials are used in order to maintain patient confidentiality.

1           3.     Taking such other and further action as deemed necessary and proper.

2  
3  
4     DATED: APRIL 19, 2013

*Louise R. Bailey*  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*

5  
6  
7  
8  
9     LA2012507887  
10    51263201.docx